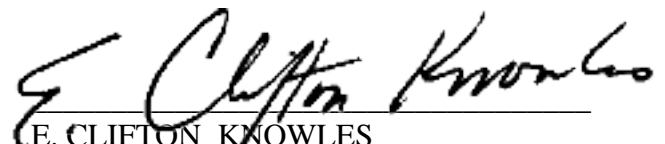


month. *Id.*

Defendant filed the instant Motion seeking dismissal of Plaintiffs' claims for failure to state a claim for relief and for failure to abide by the Orders of this Court. Docket No. 39. Defendant argues that its Motion should be granted because Plaintiffs have failed to comply with both provisions of the Court's June 28, 2011 Order discussed above.

Fed. R. Civ. P. 41(b) provides for the involuntary dismissal of an action when a plaintiff fails to prosecute, fails to comply with the Federal Rules, and/or fails to comply with a court order. The record in the case at bar reflects that Plaintiffs in this action have not complied with the mandates of this Court's June 28, 2011 Order. Because Plaintiffs have failed to comply with this Court's June 28, 2011 Order, the undersigned recommends that Defendant's Motion be GRANTED.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has fourteen (14) days after service of this Report and Recommendation in which to file any written objections to this Recommendation with the District Court. Any party opposing said objections shall have fourteen (14) days after service of any objections filed to this Report in which to file any response to said objections. Failure to file specific objections within fourteen (14) days of service of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *See Thomas v. Arn*, 474 U.S. 140, 106 S.Ct. 466, 88 L. Ed. 2d 435 (1985), *reh'g denied*, 474 U.S. 1111 (1986); 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72.


E. CLIFTON KNOWLES
United States Magistrate Judge